

SERFF Tracking Number: ZURC-125431104 State: Arkansas
 First Filing Company: Northern Insurance Company of New York, ... State Tracking Number: EFT \$200
 Company Tracking Number: CW CL 26927
 TOI: 35.0 Interline Filings Sub-TOI: 35.0002 Commercial Interline Filings
 Product Name: TRIA 2008 Transition - Interline Property Form and Rule Revisions
 Project Name/Number: CW CL 26927 - TRIA 2008 Transition - Interline Property Form and Rule Revisions/CW CL 26927

Filing at a Glance

Companies: Northern Insurance Company of New York, Assurance Company of America, Maryland Casualty Company, American Zurich Insurance Company, American Guarantee and Liability Insurance Company, Colonial American Casualty & Surety Company, Fidelity and Deposit Company of Maryland, Zurich American Insurance Company of Illinois, Zurich American Insurance Company, Empire Fire and Marine Insurance Company

Product Name: TRIA 2008 Transition - Interline SERFF Tr Num: ZURC-125431104 State: Arkansas

Property Form and Rule Revisions

TOI: 35.0 Interline Filings

SERFF Status: Closed

State Tr Num: EFT \$200

Sub-TOI: 35.0002 Commercial Interline Filings

Co Tr Num: CW CL 26927

State Status: Fees received

Filing Type: Form

Co Status: Not Applicable

Reviewer(s): Betty Montesi,
Llyweyia Rawlins, Brittany Yielding

Author: Paula Bartell

Disposition Date: 01/16/2008

Date Submitted: 01/14/2008

Disposition Status: Approved

Effective Date Requested (New): 04/01/2008

Effective Date (New): 04/01/2008

Effective Date Requested (Renewal): 04/01/2008

Effective Date (Renewal):
04/01/2008

State Filing Description:

General Information

Project Name: CW CL 26927 - TRIA 2008 Transition - Interline Property Status of Filing in Domicile: Pending
Form and Rule Revisions

Project Number: CW CL 26927

Domicile Status Comments:

Reference Organization:

Reference Number:

Reference Title:

Advisory Org. Circular:

Filing Status Changed: 01/16/2008

State Status Changed: 01/14/2008

Deemer Date:

Corresponding Filing Tracking Number:

Filing Description:

President Bush recently approved the seven year extension of the Terrorism Risk Insurance Program Reauthorization Act of 2007 (H.R. 2761). The Act is now scheduled to expire on December 31, 2014. With the passing of the TRIA extension, the companies of Zurich in North America submit revised terrorism forms to address the TRIA extension

<i>SERFF Tracking Number:</i>	<i>ZURC-125431104</i>	<i>State:</i>	<i>Arkansas</i>
<i>First Filing Company:</i>	<i>Northern Insurance Company of New York, ...</i>	<i>State Tracking Number:</i>	<i>EFT \$200</i>
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modifications.

Please note we are utilizing the NAIC Expedited Filing Terrorism Transmittal previously allowed in your state for prior terrorism filings.

Included with this submission are the following:

- NAIC Expedited Transmittal Forms
- Explanatory Memorandum
- Final Laser Printed Forms

We request this filing become effective April 1, 2008, or as soon as statutes permit, and to coincide with the approved effective date of the companion rule filing, whichever is later. The separate but associated companion rule filing is being submitted under the same company file number and submission date.

Company and Contact

Filing Contact Information

Paula Bartell, Project Manager	paula.bartell@zurichna.com
1400 American Lane	(847) 605-6177 [Phone]
Schaumburg, IL 60196-1056	(847) 605-7768[FAX]

Filing Company Information

Northern Insurance Company of New York	CoCode: 19372	State of Domicile: New York
1400 American Lane	Group Code: 212	Company Type:
Schaumburg, IL 60196	Group Name:	State ID Number:
(847) 605-6000 ext. [Phone]	FEIN Number: 13-5283360	

Assurance Company of America	CoCode: 19305	State of Domicile: New York
1400 American Lane	Group Code: 212	Company Type:
Schaumburg, IL 60196	Group Name:	State ID Number:
(847) 605-6000 ext. [Phone]	FEIN Number: 13-6081895	

Maryland Casualty Company	CoCode: 19356	State of Domicile: Maryland
1400 American Lane	Group Code: 212	Company Type:

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Schaumburg, IL 60196 (847) 605-6000 ext. [Phone]	Group Name: FEIN Number: 52-0403120 -----	State ID Number:
American Zurich Insurance Company 1400 American Lane Schaumburg, IL 60196 (847) 605-6000 ext. [Phone]	CoCode: 40142 Group Code: 212 Group Name: FEIN Number: 36-3141762 -----	State of Domicile: Illinois Company Type: State ID Number:
American Guarantee and Liability Insurance Company 1400 American Lane Schaumburg, IL 60196 (847) 605-6000 ext. [Phone]	CoCode: 26247 Group Code: 212 Group Name: FEIN Number: 36-6071400 -----	State of Domicile: New York Company Type: State ID Number:
Colonial American Casualty & Surety Company 1400 American Lane Schaumburg, IL 60196 (847) 605-6000 ext. [Phone]	CoCode: 34347 Group Code: 212 Group Name: FEIN Number: 52-1096670 -----	State of Domicile: Maryland Company Type: State ID Number:
Fidelity and Deposit Company of Maryland 1400 American Lane Schaumburg, IL 60196 (847) 605-6000 ext. [Phone]	CoCode: 39306 Group Code: 212 Group Name: FEIN Number: 13-3046577 -----	State of Domicile: Maryland Company Type: State ID Number:
Zurich American Insurance Company of Illinois 1400 American Lane Schaumburg, IL 60196 (847) 605-6000 ext. [Phone]	CoCode: 27855 Group Code: 212 Group Name: FEIN Number: 36-2781080 -----	State of Domicile: Illinois Company Type: State ID Number:
Zurich American Insurance Company 1400 American Lane Schaumburg, IL 60102 (847) 605-6000 ext. [Phone]	CoCode: 16535 Group Code: 212 Group Name: FEIN Number: 36-4233459 -----	State of Domicile: New York Company Type: State ID Number:
Empire Fire and Marine Insurance Company	CoCode: 21326	State of Domicile: Nebraska

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13810 FNB Parkway Group Code: 212 Company Type:
Omaha, NE 68154-5202 Group Name: State ID Number:
(402) 963-5000 ext. [Phone] FEIN Number: 47-6022701

SERFF Tracking Number: ZURC-125431104 State: Arkansas

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Filing Fees

Fee Required? Yes

Fee Amount: \$200.00

Retaliatory? No

Fee Explanation: \$50.00 X 4 lines of business

Per Company: No

COMPANY	AMOUNT	DATE PROCESSED	TRANSACTION #
Northern Insurance Company of New York	\$200.00	01/14/2008	17476905
Assurance Company of America	\$0.00	01/14/2008	
Maryland Casualty Company	\$0.00	01/14/2008	
American Zurich Insurance Company	\$0.00	01/14/2008	
American Guarantee and Liability Insurance Company	\$0.00	01/14/2008	
Colonial American Casualty & Surety Company	\$0.00	01/14/2008	
Fidelity and Deposit Company of Maryland	\$0.00	01/14/2008	
Zurich American Insurance Company of Illinois	\$0.00	01/14/2008	
Zurich American Insurance Company	\$0.00	01/14/2008	
Empire Fire and Marine Insurance Company	\$0.00	01/14/2008	

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Correspondence Summary

Dispositions

Status	Created By	Created On	Date Submitted
Approved	Llyweyia Rawlins	01/16/2008	01/16/2008

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Disposition

Disposition Date: 01/16/2008
Effective Date (New): 04/01/2008
Effective Date (Renewal): 04/01/2008
Status: Approved
Comment:

Rate data does NOT apply to filing.

Overall Rate Information for Multiple Company Filings

Overall Percentage Rate Indicated For This Filing	0.000%
Overall Percentage Rate Impact For This Filing	0.000%
Effect of Rate Filing-Written Premium Change For This Program	\$0
Effect of Rate Filing - Number of Policyholders Affected	0

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Item Type	Item Name	Item Status	Public Access
Supporting Document	Uniform Transmittal Document-Property & Casualty	Approved	Yes
Supporting Document	Explanatory Memo	Approved	Yes
Form	Exclusion of Certified Acts of Terrorism	Approved	Yes
Form	Exclusion of Certified Acts of Terrorism	Approved	Yes
Form	Exclusion of Loss Resulting from Certified Acts of Terrorism with Exceptions and Sub-Limits	Approved	Yes
Form	Cap On Losses From Certified Acts of Terrorism	Approved	Yes

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Form Schedule

Review Status	Form Name	Form #	Edition Date	Form Type Action	Action Specific Data	Readability	Attachment
Approved	Exclusion of Certified Acts of Terrorism	U-GU-681-B CW	01 08	Endorsement/Amendment/Conditions	Replaced Form #:0.00 U-GU-681-A CW (08/04) Previous Filing #:		U-GU-681-B _Final_.pdf
Approved	Exclusion of Certified Acts of Terrorism	U-GU-682-B CW	01 08	Endorsement/Amendment/Conditions	Replaced Form #:0.00 U-GU-682-A CW (08/04) Previous Filing #:		U-GU-682-B _Final_.pdf
Approved	Exclusion of Loss Resulting from Certified Acts of Terrorism with Exceptions and Sub-Limits	U-GU-685-B CW	01 08	Endorsement/Amendment/Conditions	Replaced Form #:0.00 U-GU-685-A CW (08/04) Previous Filing #:		U-GU-685-B _Final_.pdf
Approved	Cap On Losses From Certified Acts of Terrorism	U-GU-767-A CW	01 08	Endorsement/Amendment/Conditions		0.00	U-GU-767-A _Cap_ - _Final_.pdf

**ZURICH**

Exclusion of Certified Acts of Terrorism

Insureds Name	Policy Number	Effective Date	Endorsement Number
<insdnm>	<polSYM> <polnBr>	<effdt>	<endtno>

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

This endorsement modifies your insurance:

<insert title(s) of applicable coverage form(s), policy form(s), and/or Coverage Part(s)>

SCHEDULE*

The exception relating to certain fire losses applies to property located in the following state(s), if covered by this insurance:

State(s)

*Information required to complete the Schedule, if not shown above, will be shown in the Declarations.

A. Exclusion of Certified Acts of Terrorism

We will not pay for loss or damage caused directly or indirectly by a “certified act of terrorism”, including action in hindering or defending against an actual or expected “certified act of terrorism”. Such loss or damage is excluded regardless of any other cause or event that contributes concurrently or in any sequence to the loss.

B. Exception Relating to Fire Losses Applicable to Property Located in Certain States

If the “certified act of terrorism” results in fire, we will pay for the direct physical loss or damage to Covered Property caused by that fire. This exception does not apply to any other loss or damage including but not limited to business income, extra expense, any additional coverage and any coverage extension.

C. Definition

“Certified act of terrorism” means an act that is certified by the Secretary of the Treasury, in concurrence with the Secretary of State and the Attorney General of the United States, to be an act of terrorism pursuant to the federal Terrorism Risk Insurance Act (“TRIA”). The Terrorism Risk Insurance Act provides that the Secretary of Treasury shall certify an act of terrorism:

1. to be an act of terrorism;
2. to be a violent act or an act that is dangerous to human life, property or infrastructure;
3. to have resulted in damage within the United States, or outside of the United States in the case of an air carrier (as defined in section 40102 of Title 49, United States Code) or a United States flag vessel (or a vessel based principally in the United States, on which United States income tax is paid and whose insurance coverage is subject to regulation in the United States), or the premises of a United States mission; and

4. to have been committed by an individual or individuals as part of an effort to coerce the civilian population of the United States or to influence the policy or affect the conduct of the United States Government by coercion.

No act may be certified as an act of terrorism if the act is committed as part of the course of a war declared by Congress (except for workers' compensation) or if losses resulting from the act, in the aggregate for insurance subject to TRIA, do not exceed \$5,000,000.

D. Application of Other Exclusions

The terms and limitations of a terrorism exclusion or any other exclusion, or the inapplicability or omission of a terrorism exclusion or any other exclusion, do not serve to create coverage which would otherwise be excluded, limited or restricted under this policy.

E. Cap on Losses From Certified Acts of Terrorism

If aggregate insured losses attributable to one or more "certified acts of terrorism" exceed \$100 billion in a Program Year (January 1 through December 31) and we have met our insurer deductible under the Terrorism Risk Insurance Act, we shall not be liable for the payment of any portion of the amount of such losses that exceeds \$100 billion, and in such case insured losses up to that amount are subject to pro rata allocation in accordance with procedures established by the Secretary of Treasury.

**ZURICH**

Exclusion of Certified Acts of Terrorism

Insureds Name	Policy Number	Effective Date	Endorsement Number
<insdnm>	<polSYM> <polnBr>	<effdt>	<endtno>

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This endorsement modifies your insurance:

<insert title(s) of applicable coverage form(s), policy form(s), and/or Coverage Part(s)>

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State(s)

*Information required to complete the Schedule, if not shown above, will be shown in the Declarations.

A. Exclusion of Certified Acts of Terrorism

We will not pay for loss or damage caused directly or indirectly by a “certified act of terrorism”, including action in hindering or defending against an actual or expected “certified act of terrorism”. Such loss or damage is excluded regardless of any other cause or event that contributes concurrently or in any sequence to the loss.

B. Exception Relating to Fire Losses Applicable to Property Located in Certain States

If the “certified act of terrorism” results in fire, we will pay for the direct physical loss or damage to Covered Property caused by that fire. This exception does not apply to any other loss or damage including but not limited to business income, extra expense, any additional coverage and any coverage extension.

C. Definition

“Certified act of terrorism” means an act that is certified by the Secretary of the Treasury, in concurrence with the Secretary of State and the Attorney General of the United States, to be an act of terrorism pursuant to the federal Terrorism Risk Insurance Act (“TRIA”). The Terrorism Risk Insurance Act provides that the Secretary of Treasury shall certify an act of terrorism:

1. to be an act of terrorism;
2. to be a violent act or an act that is dangerous to human life, property or infrastructure;
3. to have resulted in damage within the United States, or outside of the United States in the case of an air carrier (as defined in section 40102 of Title 49, United States Code) or a United States flag vessel (or a vessel based principally in the United States, on which United States income tax is paid and whose insurance coverage is subject to regulation in the United States), or the premises of a United States mission; and

4. to have been committed by an individual or individuals as part of an effort to coerce the civilian population of the United States or to influence the policy or affect the conduct of the United States Government by coercion.

No act may be certified as an act of terrorism if the act is committed as part of the course of a war declared by Congress (except for workers' compensation) or if losses resulting from the act, in the aggregate for insurance subject to TRIA, do not exceed \$5,000,000.

D. Application of Other Exclusions

The terms and limitations of a terrorism exclusion or any other exclusion, or the inapplicability or omission of a terrorism exclusion or any other exclusion, do not serve to create coverage which would otherwise be excluded, limited or restricted under this policy.

E. Cap on Losses From Certified Acts of Terrorism

If aggregate insured losses attributable to one or more "certified acts of terrorism" exceed \$100 billion in a Program Year (January 1 through December 31) and we have met our insurer deductible under the Terrorism Risk Insurance Act, we shall not be liable for the payment of any portion of the amount of such losses that exceeds \$100 billion, and in such case insured losses up to that amount are subject to pro rata allocation in accordance with procedures established by the Secretary of Treasury.

Exclusion of Loss Resulting from Certified Acts of Terrorism with Exceptions and Sub-Limits



Insured Name	Policy Number	Effective Date	Endorsement Number
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THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

This endorsement modifies your insurance:

<insert title(s) of applicable coverage form(s), policy form(s), and/or Coverage Part(s)>.

The following exclusion and limitations apply to all loss or damage under all coverage(s) of the policy and for all locations (whether or not identified in this endorsement).

A. Terrorism Exclusion

We will not pay for loss or damage caused directly or indirectly by a “certified act of terrorism”, including action in hindering or defending against an actual or expected “certified act of terrorism”. Such loss or damage is excluded regardless of any other cause or event that contributes concurrently or in any sequence to the loss.

B. Exceptions to the Terrorism Exclusion

- 1. Fire Following Exception.** If the “certified act of terrorism” results in fire, we will pay for the direct physical loss or damage to Covered Property caused by that fire. This exception does not apply to any other loss or damage including but not limited to business income, extra expense, any additional coverage and any coverage extension. Regardless of the method of valuation otherwise stated for the property, we will value the property subject to this exception at actual cash value.
- 2. Scheduled Locations Exception.** If locations are identified in the Schedule of Locations of this endorsement, the Terrorism Exclusion does not apply to loss or damage at those locations.

C. Sub-Limits of Insurance Applicable to Terrorism

These sub-limits apply to all loss or damage resulting from a “certified act of terrorism” to which the Terrorism Exclusion does not apply for any reason, whether by application of an exception or otherwise, and for which the policy provides coverage. Our total payment(s) for loss or damage caused directly or indirectly by a “certified act of terrorism”, regardless of any other cause or event that contributes concurrently or in any sequence to the “certified act of terrorism”, shall not exceed the lesser of the applicable limit(s), including sub-limits, stated in the policy or:

- 1.** For the total amount of all loss or damage at a location identified in the Schedule of Locations of this endorsement, the applicable scheduled sub-limit stated in this endorsement for that location.
- 2.** For direct physical loss or damage to building and personal property at all other locations, the applicable Sub-Limit for All Other Locations stated in this endorsement.
- 3.** For the total amount of all loss or damage in any one policy year under all coverage(s) regardless of the number of locations involved or number of “certified acts of terrorism”, the Annual Aggregate Limit stated in this endorsement.

Schedule of Locations

Location	Sub-Limit per "certified act of terrorism"
1.	\$
2.	\$
3.	\$
4.	\$
5.	\$

Sub-Limit for All Other Locations: \$_____ in the aggregate per "certified act of terrorism".

Annual Aggregate Limit: \$_____ regardless of the number of "certified acts of terrorism".

D. Deductibles

We will not pay for any otherwise covered loss or damage subject to the sub-limits of this endorsement until the amount of that loss or damage exceeds the applicable deductible(s) stated in this endorsement. We will then pay the amount of that loss or damage in excess of the deductible(s) up to the applicable sub-limit of insurance. The deductible amounts are:

1. For loss or damage at locations identified in the Schedule of Locations of this endorsement, \$_____ per location for each "certified act of terrorism".
2. For all other locations: \$_____ per location and for each "certified act of terrorism".

If no amount appears in the applicable line, the policy deductible(s) apply.

E. Definition

"Certified act of terrorism" means an act that is certified by the Secretary of the Treasury, in concurrence with the Secretary of State and the Attorney General of the United States, to be an act of terrorism pursuant to the federal Terrorism Risk Insurance Act ("TRIA"). The Terrorism Risk Insurance Act provides that the Secretary of Treasury shall certify an act of terrorism:

1. to be an act of terrorism;
2. to be a violent act or an act that is dangerous to human life, property or infrastructure;
3. to have resulted in damage within the United States, or outside of the United States in the case of an air carrier (as defined in section 40102 of Title 49, United States Code) or a United States flag vessel (or a vessel based principally in the United States, on which United States income tax is paid and whose insurance coverage is subject to regulation in the United States), or the premises of a United States mission; and
4. to have been committed by an individual or individuals as part of an effort to coerce the civilian population of the United States or to influence the policy or affect the conduct of the United States Government by coercion.

No act may be certified as an act of terrorism if the act is committed as part of the course of a war declared by Congress (except for workers' compensation) or if losses resulting from the act, in the aggregate for insurance subject to TRIA, do not exceed \$5,000,000.

F. Application of Other Exclusions

The terms and limitations of a terrorism exclusion or any other exclusion, or the inapplicability or omission of a terrorism exclusion or any other exclusion, do not serve to create coverage which would otherwise be excluded, limited or restricted under this policy.

G. Cap on Losses From Certified Acts of Terrorism

If aggregate insured losses attributable to one or more "certified acts of terrorism" exceed \$100 billion in a Program Year (January 1 through December 31) and we have met our insurer deductible under the Terrorism Risk Insurance Act, we shall not be liable for the payment of any portion of the amount of such losses that exceeds \$100 billion, and in such case insured losses up to that amount are subject to pro rata allocation in accordance with procedures established by the Secretary of Treasury.



CAP ON LOSSES FROM CERTIFIED ACTS OF TERRORISM

Insureds Name	Policy Number	Effective Date	Endorsement Number
<insdnm>	<polsym> <polnbr>	<effdt>	<endtno>

THIS ENDORSEMENT CHANGES YOUR POLICY. PLEASE READ IT CAREFULLY.

This endorsement modifies your insurance:

<insert title(s) of applicable coverage form(s), policy form(s), and/or Coverage Part(s)>

A. Cap on Losses From Certified Terrorism Losses

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B. Application of Other Exclusions

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Rate Information

Rate data does NOT apply to filing.

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Supporting Document Schedules

		Review Status:	
Satisfied -Name:	Uniform Transmittal Document- Property & Casualty	Approved	01/16/2008

Comments:

Attachment:

NAIC-form.pdf

		Review Status:	
Satisfied -Name:	Explanatory Memo	Approved	01/16/2008

Comments:

Attachment:

Filing Memorandum.pdf

EXPEDITED FILING - COMMERCIAL LINES TERRORISM

This page applies to the following state(s) _____

Department Use only

Company Name(s)	Domicile	NAIC #	FEIN #
Zurich American Insurance Company	NY	212-16535	36-4233459
American Guarantee and Liability Insurance Company	NY	212-26247	36-6071400
American Zurich Insurance Company	IL	212-40142	36-3141762
Maryland Casualty Company	MD	212-19356	52-0403120
Assurance Company of America	NY	212-19305	13-6081895
Northern Insurance Company of New York	NY	212-19372	13-5283360
Zurich American Insurance Company of Illinois	IL	212-27855	36-2781080
Fidelity & Deposit Company of Maryland	MD	212-39306	13-3046577
Colonial American Casualty & Surety Company	MD	212-34347	52-1096670
Empire Fire and Marine Insurance Company	NE	212-21326	47-6022701

Contact Info for Filer

Name and address of Filer(s)	Telephone #	FAX #	e-mail
Product Analyst 1400 American Lane Schaumburg, IL 60196-1056		847-605-7768	

Filing information

Line of Insurance (see attachment)	Statutory lines 1, 2, 5, 9, 27
Company Program Title (Marketing title) (if applicable)	Commercial Property
Filing Type ** see note below	Form
This application is used with:	All P&C business written for the noted Lines of Insurance above (subject to the Act)
Effective Date Requested	4/1/08
Filing date	Receipt in SERFF
Company Tracking Number	CW-CL-26927
Date filing approved in domiciliary state, if applicable	Not approved yet. Filed on the same date as this filing.

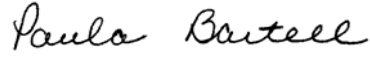
	<u>Component/Form Name</u> <u>Description/Synopsis</u>	<u>Form # or Rate Page</u> <u>Include edition date</u>	<u>Replacement</u> <u>Or withdrawn?</u>	<u>If replacement,</u> <u>give form # or rate</u> <u>page(s) it replaces</u>	<u>Previous State</u> <u>Filing Number,</u> <u>if required</u> <u>by state</u>
01	Exclusion of Certified Acts of Terrorism	U-GU-681-B CW (01/08)	<input checked="" type="checkbox"/> Replacement <input type="checkbox"/> Withdrawn <input type="checkbox"/> Neither	U-GU-681-A CW (08/04)	DOI # ZNA #23467, 23489, 23474
02	Exclusion of Certified Acts of Terrorism	U-GU-682-B CW (01/08)	<input checked="" type="checkbox"/> Replacement <input type="checkbox"/> Withdrawn <input type="checkbox"/> Neither	U-GU-681-A CW (08/04)	DOI # ZNA #23469
03	Exclusion of Loss Resulting From Certified Acts of Terrorism with Exceptions and Sub-limits	U-GU-685-B CW (01/08)	<input checked="" type="checkbox"/> Replacement <input type="checkbox"/> Withdrawn <input type="checkbox"/> Neither	U-GU-685-A CW (08/04)	DOI # ZNA #23467, 23489, 23474
04	Cap on Losses From Certified Acts of Terrorism	U-GU-767-A CW (01/08)	<input type="checkbox"/> Replacement <input type="checkbox"/> Withdrawn <input checked="" type="checkbox"/> Neither	New	N/A

To be complete, a filing must include the following:

1. A completed Expedited Filing Transmittal Document for each insurer
2. One copy of each endorsement.
3. The appropriate filing fees, if required
4. A postage-paid, self-addressed envelope **large enough to accommodate the return.**

The insurer(s) submitting this filing certifies that it is:

Using an endorsement that provides coverage that is at least as broad as described in the bulletin.



Signature

Paula Bartell

Print Name:

Business Analyst

Title:

EXPLANATORY MEMORANDUM

Background

The Terrorism Risk Insurance Act, as amended, ("TRIA") was scheduled to expire on December 31, 2007. On December 26, 2007, The President of the United States signed the Terrorism Risk Insurance Program Reauthorization Act extending TRIA, with certain modifications, for seven additional years. TRIA is scheduled to expire on December 31, 2014.

Form

In response to TRIA's extension, we are submitting the following previously approved forms with revisions:

U-GU-681-B
U-GU-682-B
U-GU-685-B

The following forms have been revised in response to the extension of TRIA:

U-GU-681-B is a revision of endorsement U-GU-681-A (previously approved in this State) and is similar to ISO's IL 09 53 01 08 with modifications to allow compatibility with non-ISO products. This endorsement is used with other than inland marine policies.

U-GU-682-B is a revision of endorsement U-GU-682-A (previously approved in this State) and is similar to ISO's IL 09 53 01 08 with modifications to allow compatibility with non-ISO products. This endorsement is used with inland marine policies.

U-GU-685-B is a revision of endorsement U-GU-685-A (previously approved in this State). In addition to modifications reflecting changes in response to the recent extension legislation, editorial changes are made to improve readability and format.

U-GU-767-A

U-GU-767-A is a new inter-line form that mirrors ISO's IL 09 52 01 08 and sets forth the \$100 billion cap on industry and federal shares of insured losses. Like the ISO version, this form should be attached when certified acts of terrorism are not excluded. This form differs from the ISO version so that it can be used across all lines subject to the Act, except Workers' Compensation to which appropriate bureau forms apply.

Withdrawn Forms

As a result of the changes in this filing we are withdrawing the following endorsements:

U-GU-681-A CW (8/04), Exclusion of Certified Acts of Terrorism
U-GU-682-A CW (8/04), Exclusion of Certified Acts of Terrorism
U-GU-683-A CW (8/04), Exclusion of Loss Resulting from Other Acts of Terrorism
U-GU-684-A CW (8/04), Exclusion of Loss Resulting from Other Acts of Terrorism
U-GU-685-A CW (8/04), Exclusion of Loss Resulting from Certified Acts of Terrorism with Exceptions and Sub-Limits
U-GU-698-A CW (8/04), Exclusion of Loss Resulting from Other Acts of Terrorism with Exceptions and Sub-Limits

Rule

Revision of Previously Approved Rules

We are submitting revised rules that primarily reflect the above endorsements and their usage. Furthermore, the revised rules omit reference to endorsements relating to non-certified acts of terrorism.

In addition, we are introducing an explanation of the use of U-GU-767-A. We are introducing a usage rule relating to the U-GU-767-A.

Background
The Terrorism Risk Insurance Act, as amended, (TRIA) is a temporary program. The following certified acts endorsements may be used in connection with policies that are effective during the Program or during a period of uncertainty surrounding potential extension or replacement of the Program.
Certified Acts of Terrorism Endorsements
<p>The following paragraphs instruct on the usage of certified acts of terrorism endorsements. These endorsements may be used during the time period that TRIA is in effect and during any period during which the potential extension or replacement of TRIA remains uncertain.</p> <p>U-GU-767 is an inter-line form that sets forth the \$100 billion cap on industry and federal shares of insured losses. The form should be attached when a certified acts of terrorism is not used.</p> <p>Following the offer of a policy that satisfies TRIA's "make available" requirement and that offer of a policy is rejected, the insurer may offer a policy with the following endorsements:</p> <ol style="list-style-type: none">1. To exclude certified acts of terrorism, attach U-GU-681 for policies other than inland marine.2. To exclude certified acts of terrorism, attach U-GU-682 for inland marine policies.3. To provide sub-limits for certified acts of terrorism, attach U-GU-685.